

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

PASO ROBLES JOINT UNIFIED
SCHOOL DISTRICT; SAN LUIS OBISPO
COUNTY BEHAVIORAL HEALTH

OAH CASE NO. 2012060172

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On June 1, 2012, Parent on behalf of Student filed a Due Process Hearing Request (complaint), naming Paso Robles Joint Unified School District (District). On July 12, 2012, Student filed an amended complaint in conformity with an Order issued by the Office of Administrative Hearings (OAH) ruling on District's Notice of Insufficiency. The undersigned administrative law judge (ALJ) held a pre-hearing conference (PHC) on September 26, 2012 at which the parties discussed adding San Luis Obispo County Behavioral Health (CBH) as a respondent. On October 1, 2012, Student filed with OAH a motion to amend the complaint (second amended complaint) and timely served the second amended complaint on District and CBH. This matter is set for hearing on October 8, 2012.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is not opposed, is timely, and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: October 2, 2012

/s/

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings